

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office **JAN 15 1993**

Returned to applicant for correction

Corrected application filed Map filed **JAN 15 1993**

The applicant Dusty Rhodes, c/o Timothy J. McGarry
301 E. Clark Avenue, Suite 700 of Las Vegas
Street and No. or P.O. Box No. City or Town
Nevada 89101 hereby make^s application for permission to change the
State and Zip Code No.
point of diversion and place of use
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under permit No. 48036, certificate No. 13405
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed .004 cfs, 2.52 ac-ft/year
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T.21S. R.60E, M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey and by course and
distance to a section corner. If on unsurveyed land, it should be stated.
or at a point from which the C $\frac{1}{4}$ corner of said section 12 bears South 18 degrees
35 minutes 49 seconds West a distance of 1,060.95 feet.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T.21S. R.62E.
If point of diversion is not changed, do not answer.
M.D.B.&M. or at a point from which the NW corner of said section 31 bears North
26 degrees 21 minutes 40 seconds West a distance of 2,048.8 feet.
7. Proposed place of use 5.0 acres located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T.21S.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
R.60E., M.D.B.&M.
8. Existing place of use .42 acres located within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31 T.21S.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
R.62E. M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 01 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) drilled well to an underground distribution
State manner in which water is to be diverted, i.e. diversion structure,
ditches, pipes and flumes, or drilled well, etc.
facility
12. Estimated cost of works \$20,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The place of use is the same as that under existing permie No. 43456 and 42487, these rights were retained by seller and are being removed from the described place of use. Water will be used for a residence and irrigation of landscaping.

By s/Timothy J. McGarry
301 E. Clark Avenue, Suite 700
Las Vegas, Nevada 89101

Compared bc/bc ab/vw

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 48036, Certificate 13405 is issued subject to the terms and conditions imposed in said Permit 48036, Certificate 13405 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.004 cubic feet per second, but not to exceed 2.52 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 11, 1996
Proof of completion of work shall be filed before April 11, 1996
Application of water to beneficial use shall be made on or before March 11, 1999
Proof of the application of water to beneficial use shall be filed on or before April 11, 1999
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 11th day of March

A.D. 19 94

[Signature]
State Engineer

agent
WITHDRAWN BY APPLICANT SEP 28 1994
[Signature]
STATE ENGINEER